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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

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10 DENNIS OLEESKY,) 2:10-cv-00445-HDM-PAL
11 Plaintiff,)
12 vs.) ORDER
13)
14 VENTA FINANCIAL GROUP, INC.,)
15 Defendant.)
16 _____)

17 Before the court is the plaintiff's motion for entry of
18 default (#68) and motion for default judgment (#66). Defendant has
19 timely opposed the motions (#70), and plaintiff has replied (#73).
20 Defendant has also filed a countermotion to continue the trial date
21 and pretrial deadlines in this matter (#71), which plaintiff
22 opposes (#74).

23 On February 27, 2012, defendant filed notice with the court
24 that it has retained counsel to represent it in this matter (#69).
25 The plaintiff's motions for entry of default and default judgment
26 (#66, #68) are therefore **DENIED**.

Defendant's motion to continue the trial date and pretrial deadlines (#71) is **GRANTED IN PART** and **DENIED IN PART**. Trial of this action, along with all pretrial deadlines, will be reset for a date and time convenient to the parties and the court. However, any request by the defendant to reset the dispositive motions deadline is **DENIED**. (See Countermotion to Continue ¶ 7). Discovery in this action has been closed, and the dispositive motions deadline passed on December 20, 2010, more than fourteen months ago. Trial had been set for February 28, 2012, but was vacated due to defendant's apparent unwillingness to cooperate with former counsel and failure to appear at the telephonic hearing on counsel's motion to withdraw. Defendant did not file any motions for summary judgment by the dispositive motions deadline, and it may not, by virtue of its decision to obtain new counsel at this late stage, do so now.

IT IS SO ORDERED.

DATED: This 6th day of March, 2012.



UNITED STATES DISTRICT JUDGE

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